

154.27-100 Construction of carbon dioxide transmission pipeline -- Proceedings for condemnation under Eminent Domain Act -- Legislative determination of essential public use.

- (1) For the purposes of this section, "carbon dioxide transmission pipeline" has the same meaning as in KRS 154.27-010.
- (2) If a carbon dioxide transmission pipeline company has received a construction certificate from the Kentucky State Board on Electric Generation and Siting under KRS 278.714 and is unable to contract or agree with the owner after a good-faith effort to do so, the company may condemn the lands and material for the use and occupation of the lands that are necessary for:
 - (a) Constructing, maintaining, utilizing, operating, and gaining access to a carbon dioxide transmission pipeline and all necessary machinery, equipment, pumping stations, appliances, and fixtures for use in connection with a carbon dioxide transmission pipeline; and
 - (b) Obtaining all necessary rights of ingress and egress to construct, examine, alter, repair, maintain, operate, or remove a carbon dioxide transmission pipeline and all of its component parts.
- (3) The proceedings for condemnation shall be as provided in the Eminent Domain Act of Kentucky.
- (4) Carbon dioxide transmission pipelines, and the routing, construction, maintenance, and operation of them are, as a matter of legislative determination, declared to be a public use essential to the fulfillment of the purposes of this chapter.

Effective: June 8, 2011

History: Created 2011 Ky. Acts ch. 82, sec. 1, effective June 8, 2011.